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IN THE UNITED STATES PATENTS AND TRADEMARK OFFICE

D-1569

Applicant : Mikio Nezu
Title : BUCKLE
Serial No. : 10/804,074
Filed : March 19, 2004
Group Art Unit : 3677
Examiner : Robert J. Sandy

Hon. Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Adjustment date: 04/17/2006 CKHLOK
02/27/2006 SZEWDIE1 00000122 110219 10804074
01 FC:1464 130.00 CR

February 24, 2006

04/17/2006 CKHLOK 00000003 110219 10804074 PETITION UNDER 37 CFR 1.137(a)
Sale Ref: 00000003 DAH: 110219 10804074
01 FC:1452 500.00 DA
Sir:

The present application was filed on March 19, 2004 under the correspondence address of Kanesaka and Takeuchi at 1423 Powhatan Street, Alexandria, VA 22314. I established a new Office of Hauptman Kanesaka Berner Patent Agents LLP on May, 2004 at 1700 Diagonal Road, Alexandria, VA 22314. The firm name was changed to Kanesaka Berner and Partners Patent Agents, LLP on October 2005 at the same address, i.e. 1700 Diagonal Road, Alexandria, VA 22314.

After I moved to the new address, I asked the office manager to change the address of all my files acting as a principle agent. The office manager contacted the Electronic Business Center of the Patent Office and obtained an electronic list in which I was present on the declaration at the time of filing the application. The address of the files was changed according to the list provided by the Patent Office.

02/27/2006 SZEWDIE1 00000122 110219 10804074
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On February 16, 2006, all files before moving to the present address were checked, and it was noticed that the address of the present application was not changed in the Patent Office and the application was abandoned by failure to file a response to the Office Action mailed on May 3, 2005. The Office Action mailed on May 3, 2005 and the Notice of Abandonment mailed on December 5, 2005 were not delivered to the undersigned agent.

Incidentally, in checking the file by the Patent Application Information Retrieval, the above Office Action and the abandonment of the application were issued and returned to the Patent Office.


I represents the present application as shown in the copy of the declaration attached herewith. However, the present application was not included in the electronic list supplied by the Patent Office. Accordingly, the Office Action and the Notice of Abandonment were not delivered to me.

As stated above, I changed the address of all the files under the supervision of the Office manager. However, since the list obtained from the Patent Office did not contain the present case, the address of the present application was not inadvertently changed at the Patent Office.

Therefore, the abandonment of the present application was unavoidable. Please revive the application and issue the Office Action once again.

Please charge the petition fee and any required fee in connection with the revival of the present application to Deposit Account No. 11-0219.

Respectfully Submitted,

By 
Manabu Kanesaka
Reg. No. 31,467
Agent for Applicants

1700 Diagonal Road, Suite 310
Alexandria, VA 22314
(703) 519-9785